

REMARKS

In response to the Office Action dated December 24, 2008, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 21-53 are pending in this application. Claims 1-20 were previously canceled.

Double Patenting Rejection

The Office rejected claims 21-53 for obvious-type double patenting over claims 1-26 of U.S. Patent 7,212,979 (Attorney Docket 01342). As the Office suggests, the Assignee submits a terminal disclaimer.

Rejection of Claims 21-26 under § 101

The Office rejected claims 21-26 under 35 U.S.C. § 101 for claiming non-statutory subject matter. These claims have been amended to fully comply with recent Federal Circuit decisions.

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or scott@scottzimmerman.com.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Scott P. Zimmerman", with a stylized flourish at the end.

Scott P. Zimmerman
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